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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,335	06/06/2001	Harri Posti	930.330USW1	7525

32294 7590 11/28/2003

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EXAMINER

BAYARD, EMMANUEL

ART UNIT PAPER NUMBER

2631

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/875,335

Applicant(s)

POSTI, HARRI

Examiner

Emmanuel Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 20-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 6) ☐ Other:

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### DETAILED ACTION

1. This is in response to pre-amendment filed on 6/6/01 in which claims 20-38 are pending.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 20-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Fischer et al

U.S. Patent NO 5,852,651.

As per claims 20 and 37-38, Fischer et al discloses a receiver for receiving a plurality of different signals at the same time, said receiver (see figs. 1b , 3, 8, 13, 18, 24, 27a, 29, 31a, 31b, 33a, 33b, 44) comprising: means for identifying at least one strongest signal of said plurality of different signals (see col.2, lines 10-16 and col.3, lines 25-30 and col.4, lines 1-11 and col.25, lines 20-23) ; and a filter (see figs. 1b , 3, 8, 13, 18, 24, 27a, 29, 31a, 31b, 33a, 33b, 44 elements 27, 27' and col.2, lines 5-10 and col.4, lines 1-10) for attenuating said at least one strongest signal with respect to the other of said plurality of signals, said filter having an input to receive said

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plurality of different signals and an output providing said plurality of different signals with said at least one strongest signal being attenuated.

As per claim 21, the receiver of Fischer does include wherein the plurality of different signals are at different frequencies (see col.34, line 67 and col.35, line 1).

As per claim 22, the receiver of Fischer inherently includes wherein said filter is a notch filter.

As per claims 23, 25, the receiver of Fischer does include an analogue to digital converter (see fig.8 elements 170, 170') is coupled to the output of the filter, whereby the at least one strongest signal is in the dynamic range of said analogue to digital converter after being attenuated by said filter.

As per claims 24, 30, 34 the receiver of Fischer does include a downconverter unit (see fig.24 element 408, 422, 428 and col.18, lines 24-33) is provided for down converting said signals and the identifying means comprises means for measuring the strength of the signals at the baseband.

As per claims 26, 27 the receiver of Fischer does include, a splitter (see fig.44 element 934) for dividing said signals, said splitter comprising a first output coupled to said identifying means and a second output coupled to a main signal path which includes said filter.

As per claim 28, the receiver of Fischer inherently includes a coupler.

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As per claims 29, 31 the receiver of Fischer does include a down converter (408 or 422) unit is provided for down converting said received signals to an intermediate frequency range, said down converter unit being arranged to receive a control signal (see fig.24 element 406 or 430) from said identifying means for determining said intermediate frequency range, whereby said intermediate frequency range is determined by said identifying means based on the frequency of the strongest signal.

As per claim 32, the receiver of Fischer inherently includes, wherein the identifying means comprises a first part for separating said signals and a second part for identifying the at least one strongest signal.

As per claim 33, the receiver of Fischer does include a fast fourier transform unit (see fig.37 element 856) for separating said signals.

As per claim 35, the receiver of Fischer does include the digital downconverter comprises an oscillator (see fig.24 element 406, 430), the frequency of which is altered to provide each of said plurality of signals at the baseband.

As per claim 36, the receiver of Fischer does include a plurality of down converters (see fig.26 elements 366, 368) are provided, each down converter being arranged to convert signals within different frequency ranges to the baseband.

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*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kazecki et al U.S. Patent No 5,488,638 teaches a clock recovery method.

Komara et al U.S. Patent No 6,253,060 B1 teaches a method and apparatus employing wireless remote loopback.

Cheng et al U.S. Patent No 5,436,942 teaches a method for equalizing digitally encoded signals.

Gold et al U.S. patent No 5,790,591 teaches a spread spectrum transmitter and communication system.

Beidas et al U.S. patent No 6,363,131 B1 teaches a method and apparatus for joint timing synchronization..

Russel et al U.S. patent No 5,657,374 teaches a cellular communication system.

Wala U.S. patent No 6,112,086 teaches a scanning RSSI receiver system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is (703) 308-9573. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour , can be reached on (703) 306-3034. The fax phone number for this Group is (703) 872-9314.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Emmanuel Bayard

Primary Examiner

November 24, 2003